

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Leah Workman and Zachary Workman,

Court File No.:

Plaintiffs,

vs.

State Farm Fire and Casualty Company,

Defendant.

DEFENDANT'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § § 1332, 1441, and 1446, Defendant State Farm Fire and Casualty Company files this Notice of Removal to remove this civil action from the Ninth Judicial District, Koochiching County, Minnesota, to the United States District Court, District of Minnesota, and states and alleges as follows:

1. On or about January 24, 2019, Plaintiffs Leah and Zachary Workman, by and through their attorney, Steven A. Nelson, Nelson & Barnhart, LLC, 210 Fourth Avenue, International Falls, MN 56649, served a civil action Complaint upon the Defendant. A true and correct copy of the pleadings served upon the Defendant is hereby attached as Exhibit A. Plaintiffs' claims against the Defendant are founded in the Contract.

2. That Plaintiffs, Leah and Zachary Workman, reside in the Town of Littlefork, County of Koochiching, State of Minnesota.

3. The Defendant, State Farm Fire and Casualty Company, is a corporation authorized to sell insurance in the State of Minnesota, with its principal place of business in Bloomington, Illinois. Therefore, diversity of citizenship exists between the parties.

4. The Complaint identifies one item of claimed damages in the amount of \$216,000. *See* Complaint p. 3. Therefore, damages alleged by the Plaintiffs exceed \$75,000 exclusive of interest and costs.

5. This action is one in which the District Courts of the United States have original jurisdiction pursuant to 28 U.S.C. § 1332 because it is a civil action with a matter in controversy that exceeds the sum of \$75,000 and because there is a diversity of citizenship between the parties.

6. Pursuant to 28 U.S.C. § 1441(a), the United States District Court, District of Minnesota is the appropriate venue for removal of the pending action in the State of Minnesota, County of Koochiching, Ninth Judicial District.

6. This Notice of Removal is filed pursuant to 28 U.S.C. § 1441 and within the time prescribed by 28 U.S.C. § 1446.

7. Defendant will give written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d) and will file a copy of the Notice of Removal with the Ninth Judicial District, Koochiching County, Minnesota, as required by that section.

WHEREFORE, Defendant prays that said action be removed to this Court, and that the Ninth Judicial District, Koochiching County, Minnesota, shall proceed no further in the action pending therein.

MEAGHER & GEER, P.L.L.P.

Dated: February 5, 2019

By: s/Tony R. Krall

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